

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JENNIFER L. DAUGHTERY,

Plaintiff,

Civil Case No. 17-12310
Honorable Linda V. Parker

v.

MICHAEL B. CARPENTER.

Defendant.

ORDER DENYING DEFENDANT'S REQUEST FOR CASE EVALUATION

Plaintiff initiated this action for sex discrimination under federal and state law on July 14, 2017. (ECF No. 1.) On May 16, 2018, Defendant requested case evaluation pursuant to Local Rule 16.5. (ECF No. 20.) In response, on May 16, 2018, Plaintiff filed a response, requesting the Court to deny Defendant's request. Local Rule 16.5 provides, in relevant part:

The court may refer a case to case evaluation under Michigan Court Rule 2.403, as amended from time to time, with or without the parties' consent, and subject to the provisions of this rule. The court may not enforce the sanctions provisions of that rule unless the parties consent to be bound by those provisions before the referral is made. The court may approve other procedures different from those in Mich. Ct. R. 2.403.

Currently this matter is scheduled for a settlement conference on September 8, 2018 before Magistrate Judge R. Steven Whalen. (ECF No. 26.) Plaintiff

contends that it does not consent to any sanctions as a result of case evaluation. Further, Plaintiff contends that case evaluation would be futile because depositions have not been conducted, there is outstanding discovery, and case evaluation would be more costly and time consuming. The Court will use its discretion and decline Defendants' request for case evaluation.

Accordingly,

IT IS ORDERED, that Defendant's request for case evaluation is **DENIED**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: May 18, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, May 18, 2018, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager